

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

AUG 30 2022

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

PETER STROJNIK, SR.,

Plaintiff-Appellant,

v.

DRIFTWOOD HOSPITALITY  
MANAGEMENT, LLC; UNITED HOTELS  
AND RESORTS, LLC; CGD TEMPE, LP;  
NEW CRESCENT INVESTMENTS, LLC,  
DBA Sheraton Crescent Phoenix; XENIA  
HOTELS AND RESORTS, INC., a foreign  
corporation; XHR PHOENIX PALMS, LLC,  
DBA Royal Palms Hotel; XHR  
SCOTTSDALE RANCH, LLC, DBA Hyatt  
Regency Scottsdale Resort and Spa at Gainey  
Ranch,

Defendants-Appellees.

No. 21-16060

D.C. Nos. 2:20-cv-01532-DJH  
2:20-cv-00343-DJH  
2:20-cv-01434-DJH

District of Arizona,  
Phoenix

ORDER

Before: Lisa B. Fitzgerald, Appellate Commissioner.

Under the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12205, appellees Driftwood Hospitality Management, LLC; United Hotels and Resorts, LLC; and CGD Tempe, LP (collectively, “Driftwood”), request an award of \$46,544.50 in attorneys’ fees billed by Jackson Lewis, P.C.

Timekeeper	Title	Admit	Year	Hours	Rate	Fees
Dylan B. Carp	Principal	1998	2021	49.5	\$645	\$31,927.50
			2022	5.4	\$675	\$ 3,645.00
Monica M. Ryden	Of Counsel	2005	2021	3.4	\$445	\$ 1,513.00
			2022	0.8	\$480	\$ 384.00
Hélène Janover	Paralegal	N/A	2021	36.3	\$250	\$ 9,075.00
Totals				95.4		\$46,544.50

Appellant Peter Strojnik, Sr., did not oppose the request or object to the requested amount. *See* 9th Cir. R. 39-1.7. Driftwood’s fees are granted in full.

Driftwood’s attorneys reasonably spent 95.4 hours in the court of appeals. *See Hensley v. Eckerhart*, 461 U.S. 424, 433-34 (1983) (reasonable fee is product of reasonably expended hours times reasonable hourly rate). The attorneys prepared an answering brief, supplemental excerpts of record, and a fee motion.

Driftwood’s requested rates are reasonable. *See Blum v. Stenson*, 465 U.S. 886, 895 n.11 (1984) (rate is reasonable if in line with prevailing market rates). Carp states that Jackson Lewis’s billing rates are in accord with rates charged by similar lawyers in the community.

Under the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12205, attorneys’ fees in the amount of \$46,544.50 are awarded in favor of Driftwood Hospitality Management, LLC; United Hotels and Resorts, LLC; and CGD Tempe, LP; and against Peter Strojnik, Sr. *See* 9th Cir. R. 39-1.9. This order amends the court’s mandate.